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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,533	01/12/2004	Michio Aizawa	00862.023400	8254
5514 7590 09/04/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER CHAWAN, VIJAY B	
			ART UNIT 2626	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/754,533	Applicant(s) AIZAWA ET AL.	
	Examiner Vijay B. Chawan	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Jeyachandran et al., (6,567,176)

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per claim 1, Jeyachandran et al., teach an image forming apparatus comprising:

voice recognition means for recognizing entered voice; acceptance means for accepting a start request to start operation of said voice recognition means; output means for outputting prescribed output information; and output discriminating means for

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determining whether said output means is currently producing an output; wherein if said acceptance means has accepted the start request during the output of the output information by said output means, said voice recognition means starts recognition of the entered voice after said output means suspends the output of the output information (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 2, Jeyachandran et al., teach the apparatus according to claim 1, further comprising: receiving means for receiving the output information; and storage means for storing output information received by said receiving means following the suspension of the output of the output information by said output means (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 3, Jeyachandran et al., teach the apparatus according to claim 1, wherein the output is a printout (Col.14, lines 36-55).

As per claim 4, Jeyachandran et al., teach an image forming apparatus comprising: voice recognition means for recognizing entered voice; voice-recognition discriminating means for determining whether said voice recognition means is currently performing voice recognition; printing means for printing prescribed print information; printing discriminating means for determining whether said printing means is currently printing; receiving means for receiving the print information; and storage means for storing the print information; wherein if said receiving means has received another print information during voice recognition by said voice recognition means, said storage means stores the another print information; and after all another print information has

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been stored in said storage means, said printing means prints said another print information (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 5, Jeyachandran et al., teach the apparatus according to claim 4, further comprising display means for notifying of the receiving state by lighting of a lamp or by a screen display, which includes a liquid crystal screen, when said receiving means is receiving the print information in a case where said voice recognition means is performing voice recognition (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 6, Jeyachandran et al., teach the apparatus according to claim 4, wherein said receiving means receives the print information, which includes image data, via a telephone line or network (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 7, Jeyachandran et al., teach the apparatus according to claim 4, wherein after said voice recognition means has completed performing voice recognition, said printing means prints the print information that has been stored in said storage means (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 8, Jeyachandran et al., teach the apparatus according to claim 4, wherein said printing discriminating means discriminates that printing is in progress during all processing relating to printing in extending from counting the number of originals prior to printing by said printing means until it becomes possible to perform the next printing operation, inclusive of sorter actuation, following printing (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 9, Jeyachandran et al., teach the apparatus according to claim 4, wherein said voice-recognition discriminating means determines that voice recognition is in progress up to voice recognition processing that includes talk-back of results of voice recognition (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 10, Jeyachandran et al., teach an image forming method in an image forming apparatus having voice recognition means for recognizing entered voice and output means for outputting prescribed output information, said method comprising: an output discriminating step of determining whether said output means is currently producing an output; an acceptance step of accepting a start request to start operation of said voice recognition means; a suspending step of suspending the output of the output information by said output means if the start request has been accepted during output of the output information by said output means; and a voice recognition step of starting voice recognition of the entered voice after output by said output means has been suspended (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 11, Jeyachandran et al., teach the method according to claim 10, wherein said image forming apparatus further has storage means for storing output information, said method further comprising: a receiving step of receiving the output information; and a storing step of storing, in said storage means, output information received following suspension of the output of the output information by said output means (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 12, Jeyachandran et al., teach the method according to claim 11, further comprising an output step of outputting the output information, which has been stored in said storage means, after said voice recognition means has completed performing voice recognition (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 13, Jeyachandran et al., teach the method according to claim 10, wherein the output is a printout (Col.14, lines 36-55).

As per claim 14, Jeyachandran et al., teach an image forming method in an image forming apparatus having voice recognition means for recognizing entered voice, printing means for printing prescribed print information and storage means for storing print information, said method comprising: a voice-recognition discriminating step of determining whether said voice recognition means is currently performing voice recognition; a printing discriminating step of determining whether said printing means is currently printing; a receiving step of receiving the print information; a storing step of storing the print information in said storage means if the print information has been received during printing of the print information by said printing means or during voice recognition by said voice recognition means; and a printing step of printing the print information after all print information has been stored in said storage means (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 15, Jeyachandran et al., teach the method according to claim 14, further comprising a display step of notifying of the receiving state by lighting of a lamp or by a screen display, which includes a liquid crystal screen, when the print information

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is being received in a case where said voice recognition means is performing voice recognition (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 16, Jeyachandran et al., teach the method according to claim 14, wherein said receiving step receives the print information, which includes image data, via a telephone line or network (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 17, Jeyachandran et al., teach the method according to claim 14, wherein said printing discriminating step discriminates that printing is in progress during all processing relating to printing in a period extending from counting of number of originals prior to printing by said printing means until it becomes possible to perform the next printing operation, inclusive of sorter actuation, following printing (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 18, Jeyachandran et al., teach the method according to claim 14, wherein said voice-recognition discriminating step determines that voice recognition is in progress up to voice recognition processing that includes talk-back of results of voice recognition (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

As per claim 19, Jeyachandran et al., teach a program for causing a computer to control an image forming apparatus having voice recognition means for recognizing entered voice and output means for outputting prescribed output information, said program comprising: an output discriminating procedure for determining whether said output means is currently producing an output; an acceptance procedure for accepting a start request to start operation of said voice recognition means; a suspending procedure

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for suspending output of the output information by said output means if the start request has been accepted during output of the output information by said output means; and a voice recognition procedure for starting voice recognition of the entered voice after output by said output means has been suspended (Col.39, line 42 – Col.40, line 8, Col.49, line 50 – Col.50, line 51).

Conclusion


3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vijay B. Chawan whose telephone number is (571) 272-7601. The examiner can normally be reached on Monday Through Friday 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Vijay B. Chawan
Primary Examiner
Art Unit 2626

vbc
8/28/07

VIJAY CHAWAN
PRIMARY EXAMINER